

Remarks

Claims 1, 2, 5-8, 10-16, 18, 20, 22-27 are pending in the application of which the Examiner has rejected claims 1, 2, 5-8, 10-16, 18, 20, and 22-27. By this paper, Applicant amends claims 1-2 and 13, cancels claims 5-6, 16, and 24, and adds new claims 28-30. Applicant respectfully traverses the rejections; however Applicant amends the application to further prosecution.

Rejections under 35 U.S.C. § 103

Rejection of claims

1, 2, 5-7, 11-13, 15, 18, 20, 22, and 26-27 over Shotmeyer et al. in view of Koyama

The Examiner has rejected claims 1, 2, 5-7, 11-13, 15, 18, 20, 22, and 26-27 under 35 U.S.C. § 103(a) as being unpatentable over Shotmeyer et al. (3908690) in view of Koyama (4966522).

Amended claim 1 requires “a single elongate opening extending substantially about the central diameter of the hollow body in a generally horizontal plane between the sections, the single elongate opening allowing liquid to ingress from the pool to the interior of the hollow body and the inlet of the conduit”. Shotmeyer teaches a series of perforations 30 to allow the ingress of water, where the perforations 30 are smaller than particulate matter 44 located inside the apparatus (See Figures 1-2 and Column 2, Line 59-61). Shotmeyer additionally teaches an opening in the apparatus which attaches to conduit 32 to allow for egress of liquid from the apparatus. (Column 4, lines 21-25). Therefore, since the perforations allowing ingress of water into the apparatus of Shotmeyer are required to be less than the diameter of a piece of particulate matter, Shotmeyer teaches away from a “single elongate opening extending substantially about the central diameter of the hollow body” as claim 1 requires. Koyama teaches a strainer attachment 4, which has a screen 4b structure supported by a protector 4c and a board 11. Koyama teaches away from a pair of sections forming “a single

elongate opening extending substantially about the central diameter of the hollow body” as claim 1 requires. Therefore since Shotmeyer and Koyama teach away from the limitations of claim 1, claim 1 is nonobvious over the combination of references.

Amended claim 2 depends from claim 1 and is therefore nonobvious over the combination of Shotmeyer and Koyama for at least the reasons stated above with respect to claim 1.

Claims 5 and 6 are canceled.

Claims 7, 11-13, 15, 18, 20, 22, and 26-27 depend from claim 1 and are therefore nonobvious over the combination of Shotmeyer and Koyama for at least the reasons stated above with respect to claim 1.

Additionally, claim 12 requires that the “retaining means is a plurality of upright rods attached to an internal surface of the hollow body”, where the retaining means is defined in claim 11 to be “retaining means which in use retains the inlet for the conduit within the hollow body.” The Examiner states that the retaining means in Shotmeyer is the connection 32 for the conduit. The Examiner also states that Koyama teaches a retaining means as a plurality of upright rods 4c attached to an internal surface of the hollow body 4b and that “it would have been obvious ... to have attached plurality of rods to the hollow body of Shotmeyer as taught by Koyama to reinforce the internal body and prevent structural damage...” Shotmeyer does not teach a plurality of upright rods. Koyama teaches a protector 4c, for preventing collapse of the screen 4b, which may act in concert with the coupling pipe connected to the strainer at connection 4a to prevent collapse and stopping of pumping. (Column 1, lines 20-23 and lines 58-62). The protective board 11 mounts with the coupling pipe 4a to connect the strainer 4 to the inlet 4. (Figure 2, Column 2, lines 19-24, and claim 1). Therefore Koyama teaches away from the use of the protector 4c (plurality of rods) for use as a retaining means “which in use retains the inlet for the conduit within the hollow body” as claim 12 requires. Therefore since the

combination of Shotmeyer and Koyama teach away from the limitations of claim 12, claim 12 is nonobvious.

Additionally, amended claim 13 requires “the retaining means is a plurality of peripheral ribs extending from internal surfaces of the pair of sections of the hollow body surrounding the pump inlet in use.” Shotmeyer does not teach ribs. Koyama teaches a protector 4c (See Figure 2) which extends through the interior of the hollow body, which is defined by screen 4b. Koyama does not teach a plurality of “peripheral ribs”, and the protector 4c does not extend from “internal surfaces of the pair of sections” as claim 13 requires. Therefore the combination of Shotmeyer and Koyama do not teach, suggest or provide all of the limitations of claim 13, and claim 13 is nonobvious.

**Rejection of claims 8 and 10 over
Shotmeyer et al. in view of Koyama and further in view of Dunmire**

The Examiner has rejected claims 8 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Shotmeyer et al. (3908690) in view of Koyama (4966522) and further in view of Dunmire (2950930).

Claims 8 and 10 depend from claim 1. Amended claim 1 requires “a single elongate opening extending substantially about the central diameter of the hollow body in a generally horizontal plane between the sections, the single elongate opening allowing liquid to ingress from the pool to the interior of the hollow body and the inlet of the conduit”. Shotmeyer and Koyama teach away from the limitations of claim 1 as discussed previously with respect to claim 1. Dunmire teaches a coupling mechanism and does not teach the limitations of claim 1. Therefore, claim 1 and dependent claims 8 and 10 are nonobvious over the combination of references.

**Rejection of claim 14 over
Shotmeyer et al. in view of Koyama and further in view of Hagan**

The Examiner has rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Shotmeyer et al. (3908690) in view of Koyama (4966522) and further in view of Hagan (5108591).

Claim 14 depends from claim 1. Amended claim 1 requires “a single elongate opening extending substantially about the central diameter of the hollow body in a generally horizontal plane between the sections, the single elongate opening allowing liquid to ingress from the pool to the interior of the hollow body and the inlet of the conduit”. Shotmeyer and Koyama teach away from the limitations of claim 1 as discussed previously with respect to claim 1. Hagan teaches a collector head which is supported on the surface by floats 1 and uses a vacuum system to vortex air and lift the liquid from the surface. Hagan does not teach a “single elongate opening ... between the sections” as required by claim 1. Therefore, since Shotmeyer, Koyama, and Hagan teach away from the limitations of claim 1, claim 1 and dependent claim 14 is nonobvious over the combination of references.

**Rejection of claim 16 over
Shotmeyer et al. in view of Koyama and further in view of Strauss**

The Examiner has rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Shotmeyer et al. (3908690) in view of Koyama (4966522) as applied to claim 15 further in view of Strauss (4243529).

Claim 16 is canceled.

**Rejection of claims 23-25 over
Breslin in view of Strauss and further in view of Sloan**

The Examiner has rejected claim 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Breslin (5474685) in view of Strauss (4243529) and further in view of Sloan (4789307).

Claim 23 requires “a pair of arcuate sections ... forming at least one opening located along the junction between the pair of sections for a majority of the outer perimeter of the hollow body, allowing liquid to flow radially into the hollow body” where “one section of the pair of sections is hingedly attached to the other section of the pair of sections”. Breslin does not teach arcuate sections or the use of hinges. Strauss teaches the use of an annular oil/water separating cartridge 56, which is located between a top section 52 and a bottom section 54. The cartridge 56 provides a “‘O’ ring type seal against the flat mating surfaces” of the sections and the “unit is held together by a central bolt 70 extending the full height of the unit, from the bottom of base 54 upwardly through a center hole 51 in cover 52. A handle 74 is screwed onto the top end of the bolt ... and draws cover 52 and base 54 towards each other with flanges 58, 60 compressively engaging cartridge 56.” (Column 3, lines 2-13). Sloan teaches a submersible pump assembly enclosed in a portable housing having a bucket 12 with a lid 13 attached by hinges 14. The apparatus of Breslin with the arcuate sections of Strauss and the hinges of Sloan would render the prior art invention being modified unsatisfactory for its intended purpose. The hinges of Sloan do not provide for an opening between the two sections, and using the hinge with the sections of Strauss would not provide for a compression fit on the cartridge 56 (as provided by the bolt), which is located in the opening and provides the spacing between the sections. Therefore there is no suggestion or motivation in Breslin, Strauss, and Sloan to make the proposed modifications, and claim 23 is nonobvious.

Claim 24 is canceled.

Claim 25 depends from claim 23 and are nonobvious over the references for at least the reasons stated above with respect to claim 23.

New Claims

Claims 28-30 are added and are believed to be novel and nonobvious over Shotmeyer, Breslin, Koyama, Strauss, Sloan, Dunmire, and Hagan.

Conclusions

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Respectfully submitted,

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